

#3

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a utility patent is sought on the invention entitled:

CELL FUSIONS AND METHODS OF MAKING AND USING THE SAME

the specification of which:

☒ was filed on February 12, 2001 as United States non-provisional application U.S.S.N. 09/782,492, bearing Attorney Docket No. 20363-004.

☐ is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

☐ I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application designating at least one country other than the United States listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

| Appln. Number | Country (if PCT, so indicate) | Filing Date (dd/mm/yy) | Priority Claimed | |
|------------------|----------------------------------|---------------------------|--------------------------|--------------------------|
| | | | Yes | No |
| | | | <input type="checkbox"/> | <input type="checkbox"/> |

☐ I hereby claim the benefit under Title 35, United States Code, § 119(e) or §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in

Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

| Application No. <i>(U.S.S.N.)</i> | Filing Date <i>(dd/mm/yy)</i> | Status <i>(Patented, Pending, Abandoned)</i> |
|---|---|--|
| 09/618,917 | 18 July 2000 | Pending |
| 09/060,603 | 15 April 1998 | Abandoned |
| 60/043,609 | 15 April 1997 | Abandoned |
| 60/181,822 | 11 February 2000 | Abandoned |
| 60/184,687 | 24 February 2000 | Abandoned |
| 60/088,357 | 26 January 1998 | Abandoned |
| 60/080,041 | 31 March 1998 | Abandoned |

PCT International Applications designating the United States:

| PCT Appln No. | US Serial No. | PCT Filing Date | Status |
|----------------------|----------------------|------------------------|----------------|
| PCT/US99/01464 | 09/642,701 | 25 January 1999 | National Phase |

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:


| Attorney or Agent | Registration No. | Attorney or Agent | Registration No. |
|--------------------------|-------------------------|--------------------------|-------------------------|
| Kevin Ainsworth | 39,586 | David E. Johnson | 41,874 |
| Ingrid Beattie | 42,306 | Christina Karnakis | 45,899 |
| William Belanger | 40,509 | Robert Klauzinski | 42,742 |
| Naomi Biswas | 38,384 | Kristin E. Konzak | 44,848 |
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| Sean M. Coughlin | P-48,593 | William Marino | 44,219 |
| Yong Choi | 43,324 | A. Jason Mirabito | 28,161 |
| David F. Crosby | 36,400 | Michel Morency | Limited Recognition |
| Christopher J. Cuneo | 42,450 | Carol H. Peters | 45,010 |
| Brett N. Dorny | 35,860 | David Poirier | 43,007 |
| Marianne Downing | 42,870 | Michael Renaud | 44,299 |
| Ivor R. Elrifi | 39,529 | Brian Rosenbloom | 41,276 |
| Heidi A. Erlacher | 45,409 | Robert J. Sayre | 42,124 |
| James C. Gatto | 32,694 | Thomas M. Sullivan | 39,392 |
| Richard Gervase | 46,725 | Janine Susan | 46,119 |
| Matthew J. Golden | 35,161 | Howard Susser | 33,556 |
| John A. Harre | 37,345 | Raphael A. Valencia | 43,216 |
| Brian P. Hopkins | 42,669 | Shelby J. Walker | 45,192 |
| Shane Hunter | 41,858 | | |

Address all telephone calls to Ivor R. Elrifi at telephone number 617/348-1747.

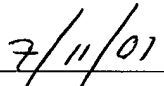
Address all correspondence to:

Ivor R. Elrifi
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
One Financial Center
Boston, Massachusetts 02111

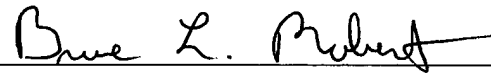
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.



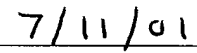
Inventor's Signature
Full Name of Inventor: **Charles Nicolette**
Citizenship: United States
Residence: 4 Mill Street, Framingham, MA 01701
Post Office Address: 4 Mill Street, Framingham, MA 01701



Date



Inventor's Signature
Full Name of Inventor: **Bruce L. Roberts**
Citizenship: Canada
Residence: 108 Pinehill Road, Southboro, MA 01772
Post Office Address: 108 Pinehill Road, Southboro, MA 01772



Date

Inventor's Signature

Date

Full Name of Inventor: **Jianlin Gong**

Citizenship: China

Residence: 20 Winchester Street #7, Brookline, MA 02146

Post Office Address: 20 Winchester Street #7, Brookline, MA 02146

Inventor's Signature

Date

Full Name of Inventor: **Donald Kufe**

Citizenship: United States

Residence: 179 Grove Street, Wellesley, MA 02181

Post Office Address: 179 Grove Street, Wellesley, MA 02181

TRA 1530662v1

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Full Name of Inventor: **Charles Nicolette**
Citizenship:
Residence:
Post Office Address:

Date

Inventor's Signature
Full Name of Inventor: **Bruce L. Roberts**
Citizenship:
Residence:
Post Office Address:

Date

USSN: 09/782,492

Jianlin Gong

Inventor's Signature

6/27/01

Date

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